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NATION

New Chapter in King

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SPECIAL CORRESPONDENT

Court to hear new 'plot' evidence

James Earl Ray's lawyers, after struggling for years to present in court what they say is new evidence that he did not kill the Rev. Martin Luther King Jr., finally expect to get the chance Thursday when they appear at a court hearing in Memphis. They contend their evidence will demonstrate that the FBI and Memphis police all joined in a plot to assassinate King.

The Memphis district attorney, John Pierotti, derides the new evidence as "suppositions and extrapolations on suppositions." He will fight at the hearing to block a requested trial for Ray, who waived the right to a trial when he pleaded guilty in 1969 to firing the shot that killed King.

Now serving a 99-year sentence, Ray has been near death from a liver ailment in recent months — slipping in and out of a coma in Nashville prison hospitals. The hearing in Memphis Criminal Court is expected to proceed even if Ray cannot attend.

His brother Jerry said Ray is far too weak to be in court.

Shortly after entering his guilty plea, Ray recanted. Although he admits taking part in the 1968 assassination, he now claims he was a dupe in a conspiracy and was not the actual shooter. His chief attorney, London-based William Pepper, contends the evidence supports that contention.

Pepper contends the fatal bullet is too mutilated to be matched to the murder weapon — a .30-06 rifle found at the Memphis assassination scene and admittedly owned by Ray. Pierotti replies that while he agrees with Pepper on that point, Ray's purchase of the weapon, his fingerprints on it, his guilty plea and substantial other evidence finger him as the assassin.

Ray has contended for years that a mystery man named Raoul — whose last name he never asked while committing crimes with him for months — lured him into a plot to assassinate King. Nobody has ever produced credible evidence that Raoul exists, but Pepper says he has a witness who can do so. He identifies her as a woman named Glenda Grabow who knew such a man in Houston in the 1960s. By Gra-



James Earl Ray, foreground, appears with attorney William Pepper during his 1994 parole hearing in Nashville. AP Photo, 11

bow's account, she participated with this man and others in activities — some illegal — such as producing pornography and false identification cards. And, she said, he once claimed involvement in the King assassination.

Pierotti said Grabow "may be sincere" but is not credible in view of other information he has seen about the supposed Raoul.

N. E. Zachary, the retired Memphis homicide chief who directed the initial assassination investigation, called Pepper's statements "hogwash." He added: "Pepper is the biggest liar who ever hit the ground . . . I wouldn't trust him any farther than I could throw a ten-ton elephant."

Pepper contends that the supposed plotters, the

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Pentagon, the Mafia, the FBI and Memphis police, sent a team of U.S. Army Special Forces sharpshooters — with rifles trained on King at the time of the murder — to kill the civil-rights leader if Raoul's efforts failed. But he has not provided a comprehensive explanation for why and how four organizations with widely disparate interests would have combined forces on such a venture. A Pentagon spokesman, Lt. Col. Mike Wood, described the four-sided conspiracy as laughable.

Pierotti said many witnesses Pepper cites have given conflicting statements to state investigators. But Pepper insisted: "The body of new evidence, if formally considered, would compel any independent grand jury to issue new indictments against perpetrators who are still alive."

The closest Ray previously came to getting his case reopened was in 1994, when Memphis Criminal Court Judge Joe Brown scheduled a hearing to permit him to assemble a court record for a federal appeal. But the Tennessee Court of Appeals canceled the hearing, ruling that Brown had overstepped his authority. A federal judge ordered the new hearing chiefly on Pepper's claim that the fatal bullet was mutilated.

Among those speaking out in favor of a Ray trial have been members of King's family. His son, Dexter King, said the family favors a trial to answer lingering questions about the case. "I don't think his trial — if he is granted a trial — will necessarily give us the unequivocal proof," Dexter King said. "But, at least in regard to new evidence, we will know more than we do now."

Ray's health has also posed concerns for Pepper, both humanitarian and legal. If Ray dies, the trial question becomes moot. "The whole process, the judicial process, will die with him," Pepper said.

Pepper has written a book about the case and worked with HBO on a televised 1993 mock trial that concluded Ray was not guilty of the King murder. "The whole thing was gone into as a commercial venture," Pierotti charged. "It has not succeeded, and now it just drags on."

